IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41659 of 2008
UPENDRA PODDAR @ UPENDRA PRASAD PODDAR & ANR
Versus
THE STATE OF BIHAR

For the Petitioners:- Mr. Shyam Kishore Das, Advocate

For the State:- Mr. C. Jawahar, A.P.P.

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02 29.09.2008 After some argument learned counsel for the petitioners seeks permission to withdraw this application as against petitioner No.1. Permission is granted.

This application is dismissed as withdrawn so far petitioner No.1 is concerned.

If the petitioner No.1 surrenders before the court below and seeks regular bail, the court below will consider the prayer for bail of the petitioner on its own merit expeditiously and pass order in accordance with law without being prejudiced by the present order.

Learned counsel for the petitioners submits that petitioner No.2 is the elder brother (Bhaisur) of the deceased and there has been no specific allegation against him, as the allegations are general and omnibus.

Having regard to the submissions made on behalf of the parties and in the facts and circumstances of the case, petitioner No.2 namely Munna Poddar @ Prem Prakash Poddar, in the event of his arrest or surrender in the court below within six weeks from the date of passing of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate,

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Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 8 of 2008 corresponding to G.R. No. 151 of 2008 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

P.K. **(Dr. Ravi Ranjan, J.)**

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